

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) 8:06CR241
)
TYLER S. PENEAUX,) **REPORT AND RECOMMENDATION
 AND ORDER**
)
Defendant.)

At the conclusion of the hearing on October 11, 2006, on defendant's Motion to Suppress [23], I stated my conclusions on the record and my decision to recommend that the motion to suppress be granted in part and denied in part. In accordance with that announcement,

IT IS RECOMMENDED to the Honorable Joseph F. Bataillon, United States District Judge, that the Motion to Suppress [23] be granted as to statements made to Officers Morehead and Morris at the scene of his arrest and denied as to all other statements.

FURTHER, IT IS ORDERED:

1. The clerk shall cause an expedited transcript of the hearing to be prepared and filed.
2. Pursuant to NECrimR 57.3, any objection to this Report and Recommendation shall be filed with the Clerk of the Court within ten (10) days after the transcript is available to counsel. Failure to timely object may constitute a waiver of any such objection. The brief in support of any objection shall be filed at the time of filing such objection. Failure to file a brief in support of any objection may be deemed an abandonment of the objection.

DATED this 11th day of October, 2006.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge